1950.

File No. O Trade Unions
Legal Department 50

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Subject:–

Opinions under the
Indian Trade Unions
(Amend) Act 1947.

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C O N T E N T S.

Legal Department File No. 0. Trade Unions/ 1950

r. No.	H.I./O.No.	Subject	pages
1).	1288 8-2-50	The Trade Unions (Amend) Act 1947 - Whether teacher and employees of the Dist. School Boards & S.C. can organise themselves into Trade Unions.	1 -

.C. 14/6
5-4 Copies

K.S.R.
18/c

Office of the R.L.A.

The Indian Trade Unions (Amendment) Act, 1947.

The question for consideration is whether teachers and other employees of the District School Boards and Secondary Schools can organise themselves into Trade Unions.

It appears that though the Indian Trade Unions (amendment)Act, 1947, has not come into force, the Labour Courts are established under section 28-B read with section 22 of the General Clauses Act, 1897. (see Labour Department Notification No. 610, dated the 7th June 1948 When the Indian Trade Unions (Amendment) Act, 1947 comes into force, in view of the definitions of the terms "employer" and "industry" in clauses (b) and (d) of section 2 of the Indian Trade Unions, the teachers would be entitled to recognition of their Union Rule 70(1)(m) of the Bombay Primary Education Rules, 1949, however, in terms prevents the teachers from being members of the trade unions not recognised by Government and to that extent denies them the rights and privileges which are accorded to recognised trad unions registered under the Trade Unions Act. The labour Court acting under section 28E would not, however, be bound by rule 70(1)(m) of the Primary Education Rules and can grant recognition to the Union of teachers (see R.L.A.'s No. 10881 dated the 28th September 1949).

Sd. P.M.Lad
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Remembrancer of Legal Affair

U.R. to E.D. No. 1788 , dated the 8th February 1950.

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